

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION**

SYMBOLGY INNOVATIONS, LLC,

Case No. 2:19-CV-854

Plaintiffs,

v.

ZAIBAK PRM, LLC

and

HAYAT PHARMACY 3, LLC

Defendants.

ANSWER AND AFFIRMATIVE DEFENSES

Defendants, Zaibak PRN, LLC and Hayat Pharmacy 3, LLC, by and through their attorneys, Ahmad & Guerard, LLP, answer the allegations in the complaint as follows:

I. ADMISSIONS AND DENIALS

1. Answering paragraph 1, defendants neither admit or deny the allegations because they are a summary of the lawsuit and not allegations of fact.

2. Answering paragraph 2, the allegations are legal conclusions and the Defendants cannot admit or deny them.

3. Answering paragraph 3, defendants do not have sufficient information to admit or deny the allegations.

4. Answering paragraph 4, admits.

5. Answering paragraph 5, admits.

6. Answering paragraph 6, defendants admit this Court has subject-matter jurisdiction for this matter.

7. Answering paragraph 7, defendants admit this court has personal jurisdiction over the defendants.

8. Answering paragraph 8, defendants admit this court has personal jurisdiction over the defendants but deny the defendants have committed any patent infringement anywhere including the State of Wisconsin.

9. Answering paragraph 9, defendants admit this Court is the proper venue.

10. Answering paragraph 10, defendants do not have sufficient information to admit or deny the allegations.

11. Answering paragraph 11, defendants re-assert previous admissions and denials.

12. Answering paragraph 12, defendants neither admit or deny because this is a legal conclusion and not an allegation of fact.

13. Answering paragraph 13, neither admit or deny because this is a legal conclusion and not an allegation of fact.

14. Answering paragraph 14, deny.

15. Answering paragraph 15, deny.

16. Answering paragraph 16, deny.

17. Answering paragraph 17, deny.

18. Answering paragraph 18, deny.

19. Answering paragraph 19, deny.

20. Answering paragraph 20, deny.

21. Answering paragraph 21, deny.

22. Answering paragraph 22, deny.

23. Answering paragraph 23, deny.

24. Answering paragraph 24, deny.

25. Answering paragraph 25, deny.

26. Answering paragraph 26, deny.

27. Answering paragraph 27, deny.

FIRST AFFIRMATIVE DEFENSE: NON-INFRINGEMENT

28. Defendants assert that the accused product does not include or perform one or more of the required claim limitations and therefore does not infringe the asserted patent claim.

SECOND AFFIRMATIVE DEFENSE: INVALID PATENT SUBJECT MATTER

29. Defendants assert the patentable subject matter of the process outlined in the Complaint is not patentable under 35 U.S.C. § 101

WHEREFORE, defendant demands judgment:

1. Dismissing the complaint on the merits and with prejudice;
2. Granting such further relief as may be appropriate.

Dated: July 9, 2019

AHMAD & GUERARD, LLP
Attorneys for Defendants

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